

APPEAL AND COMPLAINT PROCEDURES

Candidates who participated in a selection procedure may request feedback on their performance of the written test, additional tests and interviews. A candidate who considers that the procedure was implemented incorrectly and/or a mistake has been made at any stage of the assessment procedure may request a review of his/her application and may lodge a complaint or an appeal. To this end, a request for review may be submitted, within 20 calendar days of the email informing him/her of the rejection of his/her application. The request for review should quote the reference of the selection procedure concerned and should mention clearly the criteria to be reconsidered as well as the grounds for requesting the review.

This request should be addressed to the Chairperson of the selection committee using the Agency's dedicated mailbox (jobs@era.europa.eu).

The candidate shall be informed, within 15 calendar days following the receipt of his/her request, on the decision of the Selection Committee on the matter.

If a candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge an administrative complaint under Article 90 (2) of the Staff Regulations of Officials and Conditions of employment of other servants of the European Union, at the following address:

The Executive Director of the
European Union Agency for Railways
120, rue Marc Lefrancq
FR - 59300 Valenciennes

The complaint must be lodged within 3 months from the time the candidate is notified of the act adversely affecting him/her.

If the complaint is rejected the candidate may bring a case under Article 270 of the Treaty on the Functioning of the European Union and Article 91 of the Staff Regulations of Officials of the European Communities and Conditions of Employment of Other Servants of the European Communities before:

The General Court of the European Union
<http://curia.europa.eu/>

Please note that the AACC does not have the power to amend the decisions of a Selection Committee. The Court has consistently held that the wide discretion enjoyed by Selection Committee is not subject to review by the Court

It is also possible to complain to the European Ombudsman pursuant to Article 228(1) of the Treaty on the Functioning of the European Union and in accordance with the conditions laid down in the Decision of the European Parliament of 9 March 1994 on the regulations and the general conditions governing the performance of the Ombudsman's duties, published in Official Journal of the European Union L 113 of 4 May 1994:

European Ombudsman
1, Avenue du Président Robert Schuman – CS
30403
FR – 67001 Strasbourg Cedex
<http://www.ombudsman.europa.eu>

Please note that complaints made to the Ombudsman have no suspensive effect on the period laid down in Articles 90(2) and 91 of the Staff Regulations of Officials of the European Union for lodging, respectively, a complaint or an appeal with the General Court of the European Union under Article 270 of the Treaty on the Functioning of the European Union

unless rules which govern the proceedings of Selection Committees have been infringed.	
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